IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.36886 of 2008

1. **LAKHPATI CHOUDHARY**
   s/o Late Kashi Choudhary
2. **BHOLA CHOUDHARY,**
   s/o Basudeo Choudhary
   All are resident of Village Aarmara
   Bishanpur, P.S. Mansahi, District
   Katihar

--------Petitioners

Versus

STATE OF BIHAR

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2. 26.11.2008 Heard the learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in connection with Mansahi P.S. Case No.55/2007 for the alleged offences registered under sections 363, 365, 342 and 120B of the Indian Penal Code.

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It is submitted on behalf of the petitioners that no allegation has been made against these petitioners. However, during investigation suspicion has been expressed against these petitioners as well, besides the named accused. Moreover, no specific allegation has come against these petitioners save and except a suspicion on account of election of Secretary of the Education Committee of the Village in which the wife of the informant was elected. It is further submitted that the named co-accused persons have been allowed bail by this Court as per the separate orders dated 25.4.2008 passed in Cr.Misc. Nos.13635, 5302 and 1274 all of the year 2008. Photo copies of the certified copies of the aforesaid orders have been produced by the learned counsel for the petitioners, which are being kept on the record.

The learned APP appearing for the State in view of the

above is not in a position to refute the submissions.

Considering the facts and circumstances of the case, let petitioners no.1 and 2 above named, in the event of their arrest or surrender in connection with Mansahi P.S. Case No.55 of 2007, within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

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PNM **(Shailesh Kumar Sinha, J.)**